

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s) : Ingemar Starke et al. Art Unit : 1625
Serial No. : 10/546,005 Examiner : David K. O'Dell
Filed (§ 371(c)) : August 18, 2005 Conf. No. : 8620
Title : BENZOTHIAZEPINE DERIVATIVES

Commissioner for Patents
P.O. Box 1450
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TERMINAL DISCLAIMER, BY ATTORNEY OF RECORD, UNDER 1.321(c)

To the best of undersigned's knowledge and belief, ALBIREO AB, a corporation, ("ASSIGNEE"), is the holder of 100% title and interest in the above-identified application (the "APPLICATION"), by virtue of:

☒ A chain of title from the inventors listed on the APPLICATION to the current assignee as shown below:

1. From Ingemar Starke, Suzanne Alenfalk, Mats Peter Nordberg, Mikael Ulf Johan, Stig Jonas Bostrom, Malin Anita Lemurell, Andreas Christer Wallberg to ASTRAZENECA AB, recorded in the U.S. Patent and Trademark Office (PTO) against the APPLICATION at Reel 017414, Frame 0088 on August 18, 2005.

2. From ASTRAZENECA AB to ALBIREO AB, recorded against the APPLICATION in the PTO at Reel 022679, Frame 0013 on May 13, 2009.

To the best of undersigned's knowledge and belief, title in the U.S. Patent No. 7,192,946 (the "'946 PATENT'") is in the name of ASSIGNEE, by virtue of:

☒ A chain of title from the inventors listed on the '946 PATENT to the current assignee as shown below:

1. From Ingemar Starke, Mikael Ulf Johan, David Blomberg, Suzanne Alenfalk, Peter Nordberg, Andreas Christer Wallberg, and Stig Jonas Bostrom to ASTRAZENECA AB, recorded in the PTO against the '946 PATENT at Reel 015725, Frame 0657 on July 23, 2004.

2. From ASTRAZENECA AB to ALBIREO AB, recorded against the '946 PATENT in the PTO at Reel 023507, Frame 0375 on November 12, 2009.

CERTIFICATE OF TRANSMISSION BY EFS-WEB FILING
I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: March 30, 2010

Pursuant to 37 C.F.R. § 1.321(b)(1)(iv), the undersigned is empowered to act on behalf of the ASSIGNEE by virtue of the undersigned's listing in Customer No. 26181 and the power of attorney made of record in the APPLICATION on July 13, 2009.

Pursuant to 37 C.F.R. § 1.321(c), and to obviate an obviousness-type double patenting rejection issued in the APPLICATION, the ASSIGNEE hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the APPLICATION subsequent to the expiration date of the patent to be granted on the '946 PATENT provided that any patent granted on the APPLICATION shall be enforceable only for and during such period that it is commonly owned with a patent granted on the '946 PATENT.

The ASSIGNEE does not disclaim any terminal part of any patent granted on the APPLICATION prior to the expiration date of the full statutory term of patent granted on the '946 PATENT in the event that patent granted on the '946 PATENT: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole, or terminally disclaimed, under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated hereinabove. ASSIGNEE herein does not disclaim or otherwise affect any part of patent granted on the '946 PATENT.

This disclaimer runs with any patent granted on the APPLICATION and is binding upon the grantee, its successors or assigns.

The instant terminal disclaimer is in compliance with the requirements of 37 C.F.R. § 1.321(c), and is signed in accordance with 37 C.F.R. § 1.321(b)(1).

The fee in the amount of \$70.00 (small entity) under 37 C.F.R. § 1.20(d) is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits, if applicable, to Deposit Account No. 06-1050 (ref. no. 23854-0005US1).

Respectfully submitted,

Date: March 30, 2010

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